

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON FRANK STRICKER,

Defendant.

CR 20–46–BLG–DLC

ORDER

Before the Court is Defendant Brandon Frank Stricker’s Unopposed Motion for Extension to File Notice of Appeal. (Doc. 141.) Defendant requests a 30-day extension of the time to file a Notice of Appeal of the Court’s Order denying Stricker’s Motion for Compassionate Release (Doc. 140), dated April 10, 2024.¹ (*Id.* at 1.) The current deadline to file a Notice of Appeal is April 24, 2024.² *See* Fed. R. App. P. 4(b)(1)(A)(I). The basis for the request is that, “due to scheduling difficulties with FCI La Tuna where Stricker is currently incarcerated,” Stricker’s counsel has been unable to meet and confer with Stricker “regarding his right to appeal and his desire to do so.” (Doc. 141 at 1–2.)

Although styled as an unopposed motion, Stricker states that the United States has not actually responded with its position on the motion. (*Id.* at 2.)

¹ The motion erroneously states that the Court’s Order was filed on April 8, 2024. (*Id.* at 1.)

² The motion erroneously states that the deadline to file a Notice of Appeal is April 22, 2024. (*Id.* at 1.)

Accordingly, the Court will reserve ruling on Stricker's motion until the United States has had an opportunity to state its position.

Accordingly, IT IS ORDERED that the United States shall file a response to Stricker's motion (Doc. 141) on or before April 24, 2024. In its response, the United States shall indicate whether it opposes the motion, and, if so, its basis for doing so.

DATED this 22nd day of April, 2024.



Dana L. Christensen, District Judge
United States District Court